

SEP 20 2006

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On: September 20, 2006


Maria Paula Kovacs

Appl. No. : 10/762,161 Confirmation No. 3747
Applicant : Nobutaka NISHIGAKI
Filed : January 20, 2004
TC/A.U. : 2836
Examiner : Robert L. DEBERADINIS

Docket No. : 351991-912332
(2102475-912332)
Customer No. : 26379
Title: METHOD AND APPARATUS FOR CONTROLLING INTERNAL HEAT
GENERATING CIRCUIT

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Pursuant to 37 C.F.R. § 1.135, Applicant hereby submits this Petition to withdraw a holding of abandonment, on the ground that the issue fee in the above referenced application was timely submitted.

On April 10, 2006, the Patent Office mailed a Notice of Allowance and Fee(s) Due for the above referenced application. A copy of this Notice is attached as Exhibit A. This Notice required the requisite issue fee to be paid by July 10, 2006. On May 23, 2006, Applicant timely paid the required issue fee by facsimile. Attached as Exhibit B is a copy of the issue fee papers submitted by Applicant. Also, attached as Exhibit C is a copy of the Patent Office's Auto-Reply Facsimile Transmission, noting that Applicant's issue fee papers were received. Shortly thereafter, Applicant received a Notice of Abandonment that was mailed on August 30, 2006. A

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copy of this Notice of Abandonment is attached as Exhibit D. Applicant contacted the Examiner, who indicated that the Notice of Abandonment seemed to have issued in error, and who requested Applicant to submit this Petition.

As Applicant timely paid the required issue fee and received proof to that effect as shown in Exhibit B, Applicant believes that the Notice of Abandonment was issued in error. Applicant thus submits this Petition to request a withdrawal of this holding of abandonment.

This Petition is being submitted less than two months after August 30, 2006 (the mailing date of the Notice of Abandonment). Accordingly, pursuant to 37 CFR § 1.181, Applicant believes that no petition fee is required. However, in the event Applicant is mistaken, any fees due for this Petition may be charged to Deposit Account No. 07-1896 referencing Attorney Docket No. 351991-912332.

If the Commissioner so wishes, s/he is invited to call the number listed below.

Respectfully submitted,

DLA PIPER US LLP

Dated: September 20, 2006

By: 

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